

## SENATE BILL No. 492

### DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Medicaid aged and disabled waiver. Requires the office of Medicaid policy and planning to apply, before September 1, 2002, for an amendment to the Medicaid aged and disabled waiver to: (1) include as a service under the waiver any service offered under the community and home options to institutional care for the elderly and disabled (CHOICE) program; and (2) amend eligibility requirements to include an individual who is unable to perform at least three activities of daily living and who has an income of not more than 150% of the federal poverty level.

**Effective:** Upon passage.

### Server

January 14, 2002, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 492

A BILL FOR AN ACT concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this  
2       SECTION, "office" refers to the office of Medicaid policy and  
3       planning established by IC 12-8-6-1.

4       (b) As used in this SECTION, "waiver" refers to the Medicaid  
5       aged and disabled waiver (42 U.S.C. 1396 et seq.).

6       (c) Before September 1, 2002, the office shall seek approval  
7       under 42 U.S.C. 1396 et seq. from the United States Department of  
8       Health and Human Services to amend the waiver as follows:

9               (1) Include as a service under the waiver any service that is  
10              offered under the community and home options to  
11              institutional care for the elderly and disabled (CHOICE)  
12              program established under IC 12-10-10. A service provided  
13              under this subdivision may not be more restrictive than the  
14              corresponding service provided under IC 12-10-10.

15             (2) Amend eligibility requirements to include an individual  
16             who:

17               (A) is unable to perform at least three (3) activities of daily  
18               living (as defined in IC 12-10-10-1.5); and



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1           **(B) has an income that is not more than one hundred fifty**  
2           **percent (150%) of the federal income poverty level.**

3           **(d) The office may not implement the waiver amendments until**  
4           **the office files an affidavit with the governor attesting that the**  
5           **federal waiver amendments applied for under this SECTION have**  
6           **been approved. The office shall file the affidavit under this**  
7           **subsection not later than five (5) days after the office is notified**  
8           **that the waiver amendments are approved.**

9           **(e) If the United States Department of Health and Human**  
10          **Services approves the waiver amendments requested under this**  
11          **SECTION and the governor receives the affidavit filed under**  
12          **subsection (d), the office shall implement the waiver amendments**  
13          **not more than sixty (60) days after the governor receives the**  
14          **affidavit.**

15          **(f) The office may adopt rules under IC 4-22-2 necessary to**  
16          **implement this SECTION.**

17          **(g) This SECTION expires December 31, 2006.**  
18          **SECTION 2. An emergency is declared for this act.**

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